UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

REPLY TO THE ATTENTION OF:

MAR 2 7 2015

CERTIFIED MAIL 7009 1680 0000 7662 6095
RETURN RECEIPT REQUESTED

Mr. Mike Arnold
Senior Manager Operations
DMI Automotive Incorporated
1200 Durand Drive
Howell, Michigan 48843

Re: Notice of Violation
RCRA Compliance Evaluation Inspection
DMI Automotive, Incorporated
EPA I.D. No.: MIR000021444

Dear Mr. Arnold:

On March 25, 2014, a representative of the U.S. Environmental Protection Agency inspected the DMI Automotive Inc. facility located in Howell, Michigan. As a large quantity generator of hazardous waste, DMI is subject to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 *et seq*. (RCRA). The purpose of the inspection was to evaluate DMI's compliance with certain provisions of RCRA and its implementing regulations related to the generation, treatment and storage of hazardous waste. A copy of the inspection report is enclosed for your reference.

Based on information provided by DMI, EPA's review of records pertaining to DMI, and the inspector's observations, EPA has determined that DMI has unlawfully stored hazardous waste without a license or interim status as a result of DMI's failure to comply with certain conditions for a license exemption under Mich. Admin. Code. r. 299.9306(1)-(3) [40 C.F.R. § 262.34(a)-(c)]. EPA finds that DMI failed to comply with the following conditions for a storage license exemption, and is in violation of the following requirements:

1. Training Requirements

In order to avoid the need for a hazardous waste storage license, a large quantity generator of hazardous waste must have a program of classroom instruction or on-the-job training

that teaches facility personnel to perform their duties in a way that ensures the facility's compliance with requirements of RCRA. This program must be directed by a person trained in hazardous waste management procedures, and must include instruction that teaches facility personnel hazardous waste management procedures (including contingency plan implementation) relevant to the positions in which they are employed. *See* Mich. Admin. Code. r. 299.9306(1)(d) [40 C.F.R. §§ 262.34(a)(4) and 265.16(a)]. Facility personnel must successfully complete this training program within six months after the date of their employment or assignment to a facility or to a new position at a facility, and must take part in an annual review of this initial training thereafter. *See* Mich. Admin. Code. r. 299.9306(1)(d) [40 C.F.R. §§ 262.34(a)(4) and 265.16(b) and (c)]. This is also a requirement for owners and operators of hazardous waste storage facilities under Mich. Admin. Code. r. 299.9601(3) and 40 C.F.R. § 264.16(c) and (d)(4).

With respect to this training program, a large quantity generator must maintain the following documents and records at its facility:

> 1) The job title for each position at the facility related to hazardous waste management and the name of the employee filling each job;
>
> 2) A written job description for each position at the facility related to hazardous waste management;
>
> 3) A written description of the type and amount of both introductory and continuing training that will be given to each person filling a position at the facility related to hazardous waste management; and
>
> 4) Records that document that the training or job experience described above has been given to and completed by facility personnel. *See* Mich. Admin. Code. r. 299.9306(1)(d), 40 C.F.R. § 265.16(d) [40 C.F.R. §§ 262.34(a)(4) and 265.16(d)].

DMI did not provide written descriptions of the type and amount of introductory and continuing training given to employees with duties related to hazardous waste management for the following personnel:

1) Duan Keyes, 2012, 2013, 2014
2) Michael Arnold, 2012, 2013, 2014
3) Adam Weedon, 2012, 2013, 2014

DMI, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage license exemption, and violated the hazardous waste training requirement.

2. Accumulation – Weekly Inspections Requirements

In order to avoid the need for a hazardous waste storage license, a large quantity generator of hazardous waste that accumulates hazardous waste in containers must inspect, at least weekly, the areas where containers are stored. *See* Mich. Admin. Code. r. 299.9306(1)(a)(i) [40 CFR §§ 262.34(a)(1)(i); 265.174]. This is also a requirement for owners and operators

of hazardous waste storage facilities under Mich. Admin. Code. r. 299.9601(1), 299.9614(1) [40 C.F.R. § 264.174]. To avoid the need for a hazardous waste storage license in the State of Michigan, it is further required that a large quantity generator document and maintain records of the inspections in an inspection log or summary for not less than three years from the date of the inspection. *See* Mich. Admin. Code. r. 299.9306(1)(a)(i).

DMI did not provide records that it had conducted weekly inspections of hazardous waste containers stored in the less than 90 day storage areas. DMI, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage license exemption, and violated the hazardous waste storage facility container area inspection requirement.

3. Contingency Plan and Emergency Procedures

In order to avoid the need for a hazardous waste license, a large quantity generator of hazardous waste must provide a contingency plan for the facility. This condition for a license exemption is also a requirement for owners and operators of hazardous waste storage facilities. Under Mich. Admin. Code. r. 299.9306(1)(d) [40 C.F.R. § 262.34(a)(4) and 265.52(a), (d) and (f)], a large generator must describe the actions the facility personnel must take to comply with § 265.51 and 265.56 in response to fires, explosions, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water at the facility. The plan must list names, addresses, and phone numbers (office and home) of all persons qualified to act as an emergency coordinator (see § 265.55), and this list must be kept up to date. Where more than one person is listed, one must be named as primary emergency coordinator and others must be listed in the order in which they will assume responsibility as alternates. Additionally, the plan must include an evacuation plan for facility personnel where there is a possibility that evacuation could be necessary. The plan must describe signal(s) to be used to begin evacuation, evacuation routes, and alternative evacuation routes in cases where the primary routes could be blocked by releases of hazardous waste or fire.

Review of the DMI's Contingency Plan did not include: the emergency response procedures; the name, addresses, and phone numbers (office and home) for Mike Arnold; or an evacuation plan. DMI, therefore, failed to comply with the above-mentioned condition for a hazardous waste storage license exemption, and violated the contingency plan requirements.

4. Hazardous Waste Determination

Under Mich. Admin. Code. r. 299.9302(1) [40 CFR § 262.11], a generator must determine whether its waste is hazardous. Additionally, a generator must keep records of any test results, waste analyses, or other determinations made for at least three years from the date that the waste was last sent for treatment, storage or disposal. *See* Mich. Admin. Code. r. 299.9307 [40 CFR § 262.40(c)].

DMI did not provide hazardous waste determinations for all the waste generated at the facility to review. DMI, therefore, failed to comply with the above-referenced generator requirements.

A large quantity generator who accumulates hazardous waste on-site for 90 days or less, and who does not meet the conditions for a license exemption of Mich. Admin. Code. r. 299.9306(1)-(2) [40 C.F.R. § 262.34(a) and (c)], is an operator of a hazardous waste storage facility, and is required to obtain a hazardous waste storage license. *See*, Mich. Admin. Code. r. 299.9502(1), 299.9508, and 299.9510 [40 C.F.R. §§ 270.1, 270.10, and 270.13].

On failing to comply with the condition for a license exemption referenced in items 1 through 3 above, DMI became an operator of a hazardous waste storage facility, and was required to apply for and to obtain a hazardous waste storage license. DMI's failure to apply for and to obtain a hazardous waste storage license violated the licensing requirements of Mich. Admin. Code. r. 299.9502(1), 299.9508, and 299.9510 [40 C.F.R. §§ 270.1, 270.10, and 270.13].

At this time EPA is not requiring DMI Automotive Inc. to apply for a storage license so long as it immediately establishes compliance with the conditions for exemption as outlined above. Under Section 3008(a) of the RCRA, 42 U.S.C. § 6928(a), EPA may issue an order assessing a civil penalty for any past or current violation and requiring compliance immediately or within a specified period. Although this is not such an order, we request that you submit a response in writing to this office no later than thirty (30) days after receipt of this letter documenting the actions, if any, which have been taken since the inspection to establish compliance with the above conditions and requirements. You should submit your response to Cindy Dabner, United States Protection Agency, Region 5, 77 West Jackson Boulevard, LR-8J, Chicago, Illinois 60604.

If you have any questions regarding this letter, please contact Cindy Dabner, of my staff, at dabner.cindy@epa.gov or 312-886-5890.

Sincerely,

Gary J. Victorine
Chief
RCRA Branch

Enclosures

cc: John Craig, MDEQ (craigj@michigan.gov)
Lonnie Lee, MDEQ (leel@michigan.gov)

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5, LCD, RCRA BRANCH, LR8J
77 WEST JACKSON BLVD
CHICAGO, IL 60604

RCRA COMPLIANCE EVALUATION INSPECTION REPORT

SITE NAME: DMI AUTOMOTIVE INC.

EPA ID NUMBER: MIR 000 021 444

ADDRESS: 1200 Durand Drive, Howell, Michigan 48843

DATE OF INSPECTION: March 25, 2014

EPA INSPECTOR: Cindy Dabner
Environmental Scientist

PREPARED BY:

Cindy Dabner
Compliance Section 2

3/17/2015
Date

ACCEPTED BY:

Julie Morris, Chief,
Compliance Section 2

3/18/15
Date

Purpose of the Inspection

This inspection was an evaluation of DMI Automotive Inc.'s compliance with hazardous waste regulations found Michigan Administrative Code (MAC) and Title 40 of the Code of Federal Regulations (40 CFR), Parts 260 through 279. Inspector Cindy Dabner of the U.S. Environmental Protection Agency Region 5 conducted the inspection. The inspection was an EPA lead Resource Conservation and Recovery Act (RCRA) compliance evaluation (CEI). The site notified as a large quantity generator (LQG).

Participants

U.S. Environmental Protection Agency-
Cindy Dabner, U.S. EPA Inspector U.S. EPA Region 5
dabner.cindy@epa.gov
Work Phone: 312-886-5890

Representatives of DMI Automotive Inc.
John Stevens, Environmental Consultant/Safety
jstevens@tuvam.com
Cell 734-341-3657

Mike Arnold, Senior Manager Operations
mcadmi@sbcglobal.net
Cell phone: 810-577-4749
Work Phone: 517-548-1414
Fax: 517-548-1711

Introduction

On March 25, 2014, Inspector Dabner arrived to the site at approximately 10:00 am. Inspector Cindy Dabner presented her federal identification and explained the purpose of the visit was to conduct a hazardous waste inspection.

During the opening conference, Inspector Dabner inquired about the required safety measures to conduct during the inspection tour. According to the facility representative, the typical standard safety equipment was all that was required. The standard safety equipment included steel toed shoes and hard hat. No special safety measures were mentioned or identified to Inspector Dabner.

Inspector Dabner discussed during the opening conference, confidential business information (CBI) and the use of a camera during the inspection. DMI Automotive Inc. representatives did not make any CBI claims on: (1) the information provided to the inspector; or (2) photographs taken during the inspection. Inspector Dabner provided a Small Business Resources information Sheet and Pollution Prevention Brochure to Mr. Stevens.

Site Description

DMI conducts chromium electroplating on cast iron dies for the automotive industry. The facility receives the cast iron dies from clients and conducts chromium electroplating to enhance hardness and wear properties. The dies are used to make auto parts that include hoods and side panels. The facility employs 10 to 12 employees and operates two shifts. DMI began operations at the current site in 1996 and is approximately 11,000 square feet in size.

DMI Permit History

DMI applied and received an operating permit prior to the start of production in 1996. Michigan DEQ issued a permit to operate 161-94A. In 2004 DMI received a second operating permit to convert a chrome holding tank into a chrome-plating tank. Permit 161-94B (NESHAP) was approved and issued by Michigan DEQ on September 9, 2004. Permit PTI No. 4-10 was issued on February 12, 2010, but was voided due to lack of facility activity in more than 18 months.

Production Tanks

Five plating tanks with a combined volume of 40,000 gallons and are located within the below grade concrete secondary containment vault inside the facility. The five tanks contain acid, chromates and rinse water for the process. The PVC sump tank holds waters regulated as a hazardous waste under RCRA (code classification D002, D007, and D008) prior to shipment off-site for recovery.

There are five process tanks at the DMI Automotive facility. Tanks#1 and #2 are strip tanks. The third tank is a rinse tank that can be converted to an evaporator tank unit. The fourth and fifth tanks are chrome plating, tanks A and B respectively.

When the dies arrive to DMI, they are first stripped. Nearly 80% of the time, this is done chemically with sodium hydroxide (NaOH) in Tanks #1 and 2. The remaining 20% of the time the dies are stripped using sandblasting procedures.

Dies are rinsed in Tank#3 in an effort to remove either sodium hydroxide or chromic acid. In 2010 DMI applied and received a PTI #4-10. This permit allowed for a small enclosed tank to be placed in the lower concrete sump beneath tank#3. Rinse water is stored in this tank and pumped into the original Tank#3 to be evaporated by heating to a maximum temperature of 150 degrees F.

DMI Automotive is subject to 40 CFR Part 264, Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities, Subpart J- Tank Systems, which is enforced by the DEQ's Office of Waste Management & Radiological Protection (OWMRP). The regulation applies to the secondary containment system which is the large concrete pit underneath the five metal tanks. The concrete is sealed with resin and protected with a coating that is designed for containment tanks. Within the containment area is a pit which has two pumps and three alarms in place to alert operators of the presence of liquids.

Waste Generation

The two main waste streams generated by DMI Automotive include chromic acid (D002 and D007) and sand grit blast (Non-hazardous RCRA Waste).

Site Tour

The inspection began at a storage area where over twelve 55-gallon drums were observed labeled as non-RCRA regulate waste.

The inspection continued along the plating line. The inspector observed five open top tanks with a total tank capacity of approximately 40,000 gallons. The first tank observed was the strip tank. The second tank that was observed was the electro cleaning tank. The third tank observed was the cleaner rinse tank. The fourth tank observed was the chrome plate tank, and the final tank that was observed was the chrome rinse tank. According to the facility representative, electroplating rinse is drained into the pit that is located below the production tanks. The facility representative informed the inspector that a waste disposal company comes to determine if the waste in the pit is chrome rinse or concentrated waste.

Record Review

A records review was conducted during and after the inspection. The inspector requested to review hazardous waste determination documents, hazardous waste manifest, land disposal restriction (LDR) forms, universal waste documents, contingency plans, daily tank inspection records, weekly inspection logs, biennial reports, and personnel training records for the past three years.

The following items were observed as the result of the record review:

Generator Status Notification:

The facility reported as large quantity generator (LQG) in 2012, and 2013.

Hazardous Waste Manifest:

Manifest records were reviewed for calendar years 2014, 2013, and 2012. No concerns were noted in regard to hazardous waste manifest documents made available for review.

Hazardous Waste Determination Documents:

Supporting documentation for hazardous and nonhazardous waste determinations were not provided for review.

Land Disposal Restriction Documents:

Land disposal restriction documents were provided at the time of the inspection. No concerns were noted in regard to land disposal restriction documents that were available for review.

Personnel Training Records:

Training documentation for the past three years was not provided for the following personnel:

- Duan Keyes
- Michael Arnold
- Adam Weedon

Contingency Plan and Emergency Procedures:

A two page contingency plan was provided for review. The provided contingency plan did not include Procedure 4.4.7 Emergency Response or the MSDS information. The complete name, address, and phone number was not provided for Mike Arnold. An evacuation plan was not observed included in the two page contingency plan.

Preparedness and Prevention:
No concerns were noted in regard to preparedness and prevention requirements.

Biennial Reporting:
Fiscal Year 2013 Report to MDEQ for 2012 documents were provided at the time of the inspection. No concerns were noted in regard to reporting documents that were available for review.

Tank
The five process tank units are situated within the secondary containment system's vault and were not observed pressurized. The top of the vault is covered by a grating that allows visual monitoring by facility representatives. The outcome of the visual inspections are recorded in an inspection log. A tank assessment was provide at the time of the inspection. No concerns were noted in regard to the daily tank inspection logs or the tank assessment at the time of the inspection.

Universal Waste
No concerns were noted in regard to the management of universal waste at the time of the inspection.

Closing Conference
A closing conference was conducted with Mike Arnold and John Stevens. The Inspector summarized the areas of concern noted during the inspection. Inspector Dabner explained how the observation notes would be reviewed and used to generate an inspection report. Inspector Dabner briefly discussed EPA's procedures for following up with the facility representative after conducting an inspection.

Post-Inspection
Prior to completion of this inspection report, John Stevens provided Inspector Dabner supplemental information. Supplemental information is provided in Attachment C-DMI Automotive Supporting Documentation Log.

Attachments

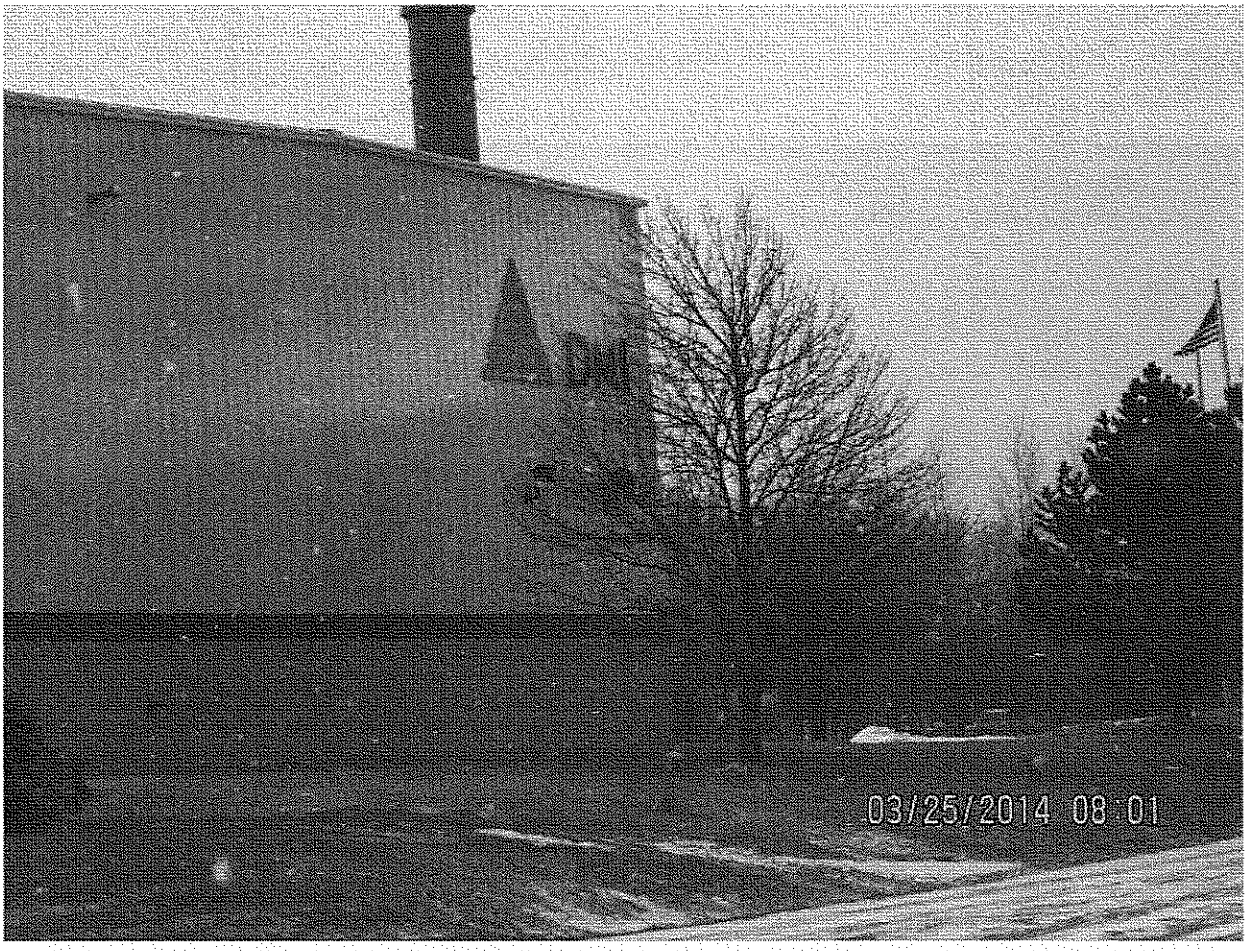
A. DMI Automotive Inc. Photographs
B. DMI Automotive Inc. Inspection Checklist
C. DMI Automotive Inc. Supporting Documentation Log

ATTACHMENT A

DMI Automotive Inc. Inspection Photographs

MIR 000 021 444

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014



Photograph: #1
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Photograph of the facility sign

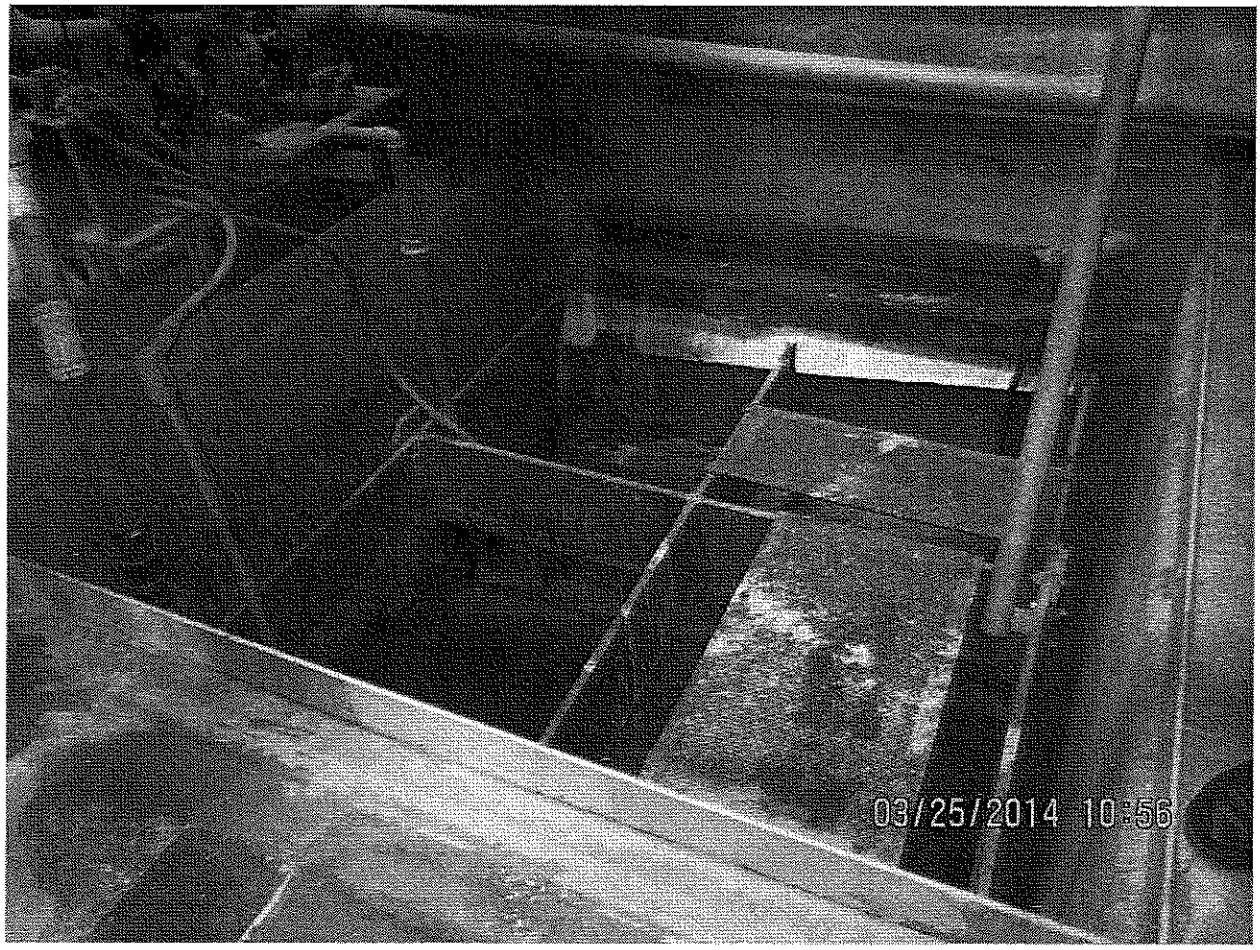
Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014

Photograph: #2
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Photograph of the facility sign

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014

Photograph: #3
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Photograph of the facility sign

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014

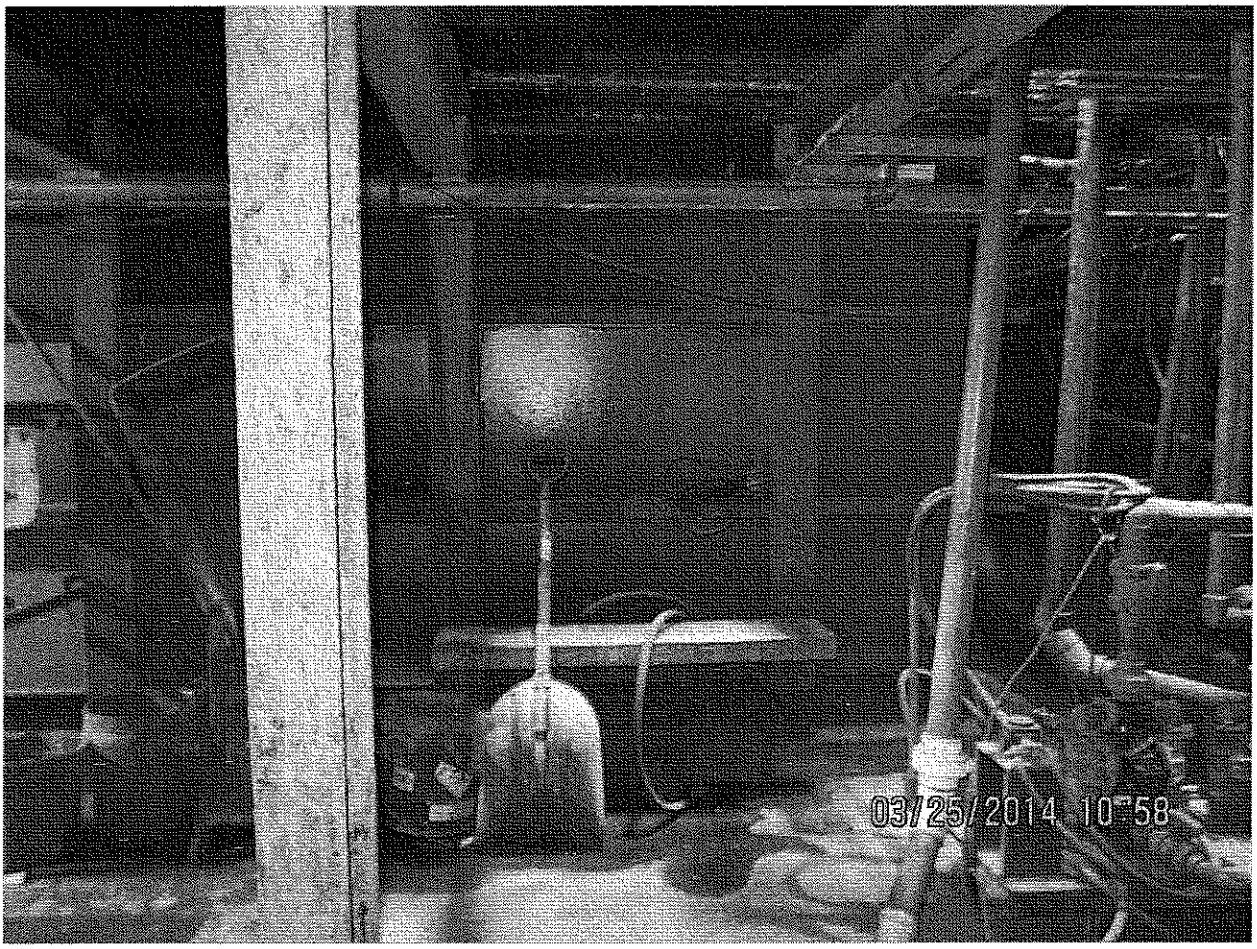


Photograph: #4
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Tank System Pit

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014

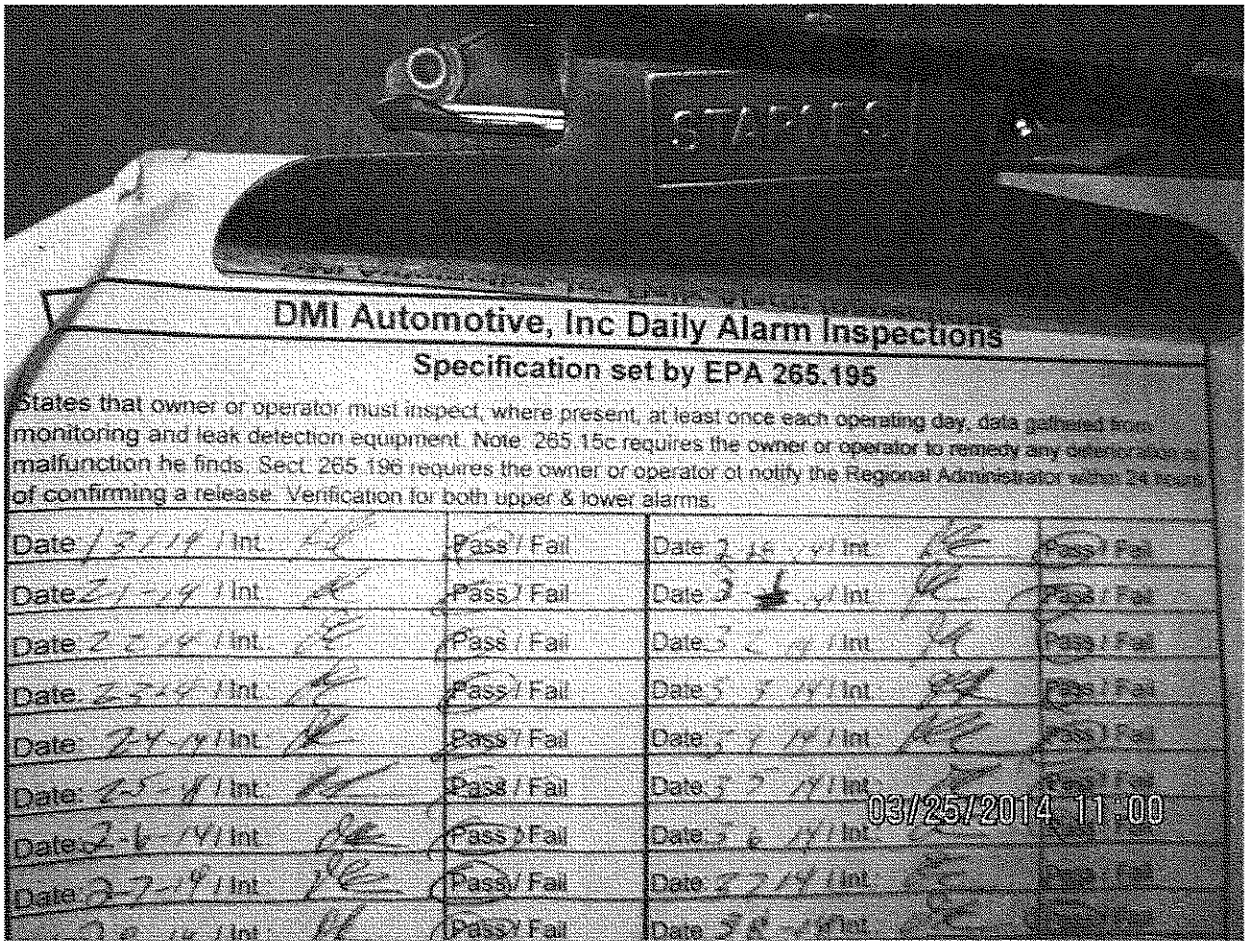
Photograph: #5
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Ancillary Tank System Equipment

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014



Photograph: #6
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Pit below production tanks

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014



Photograph: #7
Name of Photographer: Cindy Dabner
Date/Time of Photograph: March 25, 2014
Site Location: 1200 Durant Drive, MI 48843
Description: Daily Tank System Inspection

Attachment A
Photographs for DMI Automotive RCRA CEI
MIR 000 021 444
March 25, 2014

ATTACHMENT B

DMI Automotive Inc. Checklist

MIR 000 021 444

ATTACHMENT B

DMI Automotive Inc. Checklist

MIR 000 021 444

Department of Environmental Quality
FULLY REGULATED GENERATOR (FRG) INSPECTION FORM

Facility's Name DMI Automotive Inc Part 3 Rules

Date March 25, 2014 ID# MIR 000 021 444 1994 PA 451

HAZARDOUS WASTE AND WASTE #	SOURCE	HOW MUCH
See Inspection Report		

___ abbreviated

FACILITY COMPLIANCE REQUIRED IN ALL AREAS

WASTE DETERMINATION (Rule 302: 40 CFR 262.11

(NI = Not inspected; N/A = Not applicable)

		YES	NO	
1. Determined if waste streams are hazardous waste? (Rule 302: 40 CFR 262.11))	262A	[ ]	X	NI N/A
a) copy of waste evaluation on-site 3 years? (Rule 307(1): 40 CFR 262.40(c))	262D	[ ]	X	NI N/A
b) re-evaluated waste when changes in materials or process? (Rule 302(3))	262A	[ ]	___	NI N/A
2. Did generator have written waste analysis plan if treating wastes on-site? (Rule 306)(1)(d):40 CFR 268.7(a)(5))	262C	[ ]	___	NI N/A

IDENTIFICATION NUMBER (Rule 303: 40 CFR 262.12)

3. Has the generator obtained an identification number? (Rule 303: 40 CFR 262.12)	262A	X	___	NI N/A

MANIFEST REQUIREMENTS (Rule 304: 40 CFR 262.20)

4. Copies of the manifest readily available for review & inspection? (Section 11138(1)(f))	FSS	X	___	NI N/A
5. Manifests kept for the past 3 years? (Rule 307(3): 40 CFR 262.20(a))	262D	X	___	NI N/A
6. Manifests, prepared by the generator according to instructions in appendix of Part 262 contain the following:				
a) manifest document number (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
b) generator's name, address, phone & ID # (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
c) name & ID # of the transporter. (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
d) name, address & ID # of TSDF. (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
e) DOT description of waste(s). (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
f) quantity of waste, type & # of containers. (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
g) hazardous waste number of the wastes. (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
h) generator signature, initial transporter & date of acceptance. (Rule 304(1)(b): 40 CFR 262.20(a)(i)),	262B	X	___	NI N/A
7. NOT APPLICABLE				
8. For out-of-state manifests, if not submitted by designated facility, generator submitted copy of 3rd signature manifest as requested by Director? (Rule 304(2)(c))	262B	[ ]	___	NI N/A
9. Is the transporter used properly registered &/or permitted under Act 138, Sec. 2 (3)? (Rule 304(1)(c))	262B	[ ]	___	NI N/A

NOTE: *For shipments of hazardous waste solely by water or rail shipments, within United States see Rule 304(4)(g or h).*

10. Using manifest that has expired? (Rule 304(1)(a) : 40 CFR 262.20)	262B	[ ] [X] NI N/A
11. Reportable exceptions (Rule 308(3): 40 CFR 262.42)(a).		
a) number of manifests generator HASN'T receive signed copy from TSD w/in 35 days:		
b) number of manifests generator HASN'T submitted exception reports to RA & DEQ after 45 days:		
12. Facility has written program to reduce volume/toxicity/recycle wastes? (Rule 304(1)(b):40 CFR 262.27(a))	262B	[ ] ___ NI N/A

13. Facility discusses program in place to reduce volume/toxicity/recycle of waste (Rule 304(1)(b): 40 CFR 262.27(a))	262B	[ ] ___ NI N/A

LAND DISPOSAL RESTRICTION REQUIREMENTS
WASTE ANALYSIS AND RECORDKEEPING (Rule 311(1): 40 CFR 268.7))

		YES NO
14. Did the generator determine if the waste is restricted from land disposal? (Rule 311(1): 40 CFR 268.7(a)(1))		
a) all listed waste	268A	[X] ___ NI N/A
b) all characteristic wastes?	268A	[X] ___ NI N/A

NOTE: *If waste has both listed & characteristic waste codes, the treatment standard for the listed waste is sufficient if the treatment standards for the listed waste includes a standard for the constituent that caused the waste to exhibit the characteristic, except for D001 and D002. (40 CFR 268.9(b))*

15. If restricted waste exceeds treatment standards or prohibitions did notice go w/ initial shipment? (Rule 311(1):40 CFR 268.7(a)(2))	268A	[ ] ___ NI N/A

OR

16. If restricted waste does not exceed treatment standards or prohibitions did a notice and certification statement go with initial shipment? (Rule 311(1): (40 CFR 268.7(a)(3))	268A	[ ] ___ NI N/A

OR

17. If waste has exemption from prohibition on the type of land disposal method utilized for the waste, did a notice go with initial shipment? (Rule 311(1): 40 CFR 268.7(a)(4))	268A	[ ] ___ NI N/A

OR

18. If facility choose alternative treatment standard for lab pack that contains none of the waste in appendix IV, did a notice & certification go with initial shipment? (Rule 311(1): 40 CFR 268.7(a)(9))	268A	[ ] ___ NI N/A
19. Did the notice include: (Rule 311(1): 40 CFR 268.7(a)(1) or 268.7(a)(2) or 268.7(a)(3)		
a) EPA hazardous waste #?	268A	[X] ___ NI N/A
b) if wastewater or non-wastewater as defined in 268.2(d&f)?	268A	[ ] ___ NI N/A
c) subcategory of the waste (such as D003 reactive cyanide) if applicable?	268A	[ ] ___ NI N/A
d) manifest number associated with the shipment?	268A	[X] ___ NI N/A
e) waste analysis data, where available?	268A	[ ] [X] NI N/A
f) waste constituents that the treater will monitor, if monitoring will not include all regulated constituents, for F001- F005, F039, D001, D002, D012-D043? (treatment standards for hazardous waste in table in 268.40 for the waste code under regulated constituents)	268A	[ ] ___ NI N/A

UNLESS

g) did generator/treater claim they are going to monitor for ALL regulated constituents in the waste in lieu of the generator indicating same in the notice? (Rule 311(1): 40 CFR 268.7(a)(1) & 268.9)	268A	[ ] ___ NI N/A
h) did generator/treater claim they are going to monitor for underlying hazardous waste constituents (except vanadium and zinc), reasonably expected to be present at the generation point, above UTS standards for D001, D002 & TCLP organics? Rule 311(1): 40 CFR 268 Subpart D & 268.48)	268A	[ ] ___ NI N/A

20. Other than notices for waste exceeding treatment standards, did notices include: (Rule 311(1): 40 CFR 268.7(2)(3)		
a) if the notice is for shipments that meet the standards does the notice include the certification?	268A	[ ] ___ NI N/A
b) if the notice is for shipments under prohibitions does the notice include a statement that the waste isn't from land disposal & date the waste is subject to prohibition?	prohibited 268A	[ ] ___ NI N/A

***NOTE**: An alternate treatment standard may be used after approval from the Administrator. (40 CFR 268.44)*
***NOTE**: Hazardous waste debris see 40 CFR 268.7(a)(1)(iv) for the notice requirements which must be followed by the statement "This hazardous debris is subject to alternative treatment standards of 40 CFR 268.45."*

21. Generator retain on-site records to support determination from knowledge or results from tests? (40 CFR 268.7(a)(6)	268A	[X] ___ NI N/A
22. If the restricted waste is excluded from being a hazardous waste or solid waste did the generator place a one- time notice stating same in the facility file? (40 CFR268.7(a)(7))	268A	[ ] ___ NI N/A
23. All notices/certifications/demonstrations/other documents retained for 3 years on-site? (40 CFR 268.7(a)(8)	268A	[ ] ___ NI N/A

***NOTE**: This requirement (268.7(a)(8)) applies to solid waste even when the hazardous waste characteristic is removed prior to disposal or when the waste is excluded from the definition of hazardous waste or solid waste.*

DILUTION PROHIBITED AS SUBSTITUTE FOR TREATMENT (RULE 311(1):40 CFR 268.3)

24. Generator dilute hazardous waste or treatment residue of a hazardous waste to avoid prohibition? (40 CFR: 268.3(a))	268A	___ [ ] NI N/A
25. If wastes exceeding treatment standards are mixed, was the most stringent standards selected? (40 CFR268.40(c))	268A	[ ] ___ NI N/A

BIENNIAL REPORT (Rule 308: 40 CFR 262.41)

26. Generator submitted biennial report by 3/1 (even years)? (Rule 308(1): 40 CFR 262.41)	262D	[X] ___ NI N/A
27. Were copies of the report retained at least 3 years? (Rule 307(4): 40 CFR 262.40(b))	262D	[X] ___ NI N/A

TREATMENT STANDARDS (RULE 311(1):40 CFR 268.40)

PRE-TRANSPORTER REQUIREMENTS (Rule 305: 40 CFR 262.30)		YES NO
28. Waste packaged according to DOT regulations (required before shipping waste off-site)? (Rule 305(1)(a):40 CFR262.30))	262C	co.said__obsrvd__ [ ] ___ NI N/A
29. Are waste packages marked & labeled per DOT 49 CFR172 concerning hazardous materials (required before shipping waste off- site)?(Rule 305(1)(b)(c): 40 CFR 262.32(a))	262C	co.said__obsrvd__ [ ] ___ NI N/A
30. On containers of 119 gallons or less, is there a warning, generator's name, address, site identification number, manifest tracking number & waste code per DOT 49 CFR172.304? (Rule 305(1)(d): 40 CFR 262.32(b))	262C	co.said__obsrvd__ [ ] ___ NI N/A
31. If required (>1000 #'s), are placards available to the transporter? (Rule 305(1)(e): 40 CFR 262.33)	262C	[ ] ___ NI N/A

ACCUMULATION TIME (Rule 306: 40 CFR 262.34)

32. If hazardous waste accumulated in containers: (If no, skip to #35)		
a) containers have accumulation date which is clearly visible? (Rule 306(1)(b): 40 CFR 262.34(a)(2))	262C	[ ] ___ NI N/A
b) container have words "Hazardous Waste"? (Rule 306(1)(c): 40 CFR 262.34(a)(3))	262C	[ ] ___ NI N/A
c) is each container clearly marked with the hazardous waste number? (Rule 306(1)(b))	262C	[ ] ___ NI N/A
d) has more than 90 days elapsed since date marked? (Rule 306(1)	262C	___ [ ] NI N/A

OR

e) one of the following apply:		
i) the generator applied for & received an extension to accumulate longer? (Rule 306(3): 40 CFR 262.34(b))	262C	[ ] ___ NI N/A
ii) it is F006 waste recycled for metals recovery in compliance with Rule 306 (7) (180 days maximum). Rule 306(7):40 CFR 262.34(g))	262C	[ ] ___ NI N/A

iii) it is F006 waste recycled for metals recovery in compliance with Rule 306(7) which must be transported more than 200 miles (270 days max.)? (Rule 306(8):40 CFR 262.34(h)	262C	[ ] ___ NI N/A
iv) generator applied for & received extension or exception to accumulate F006 haz waste longer than ii or iii above? (Rule 306(9-10):40 CFR 262.34(i))	262C	[ ] ___ NI N/A

The following Subpart I, 265.170 to 265.177 requirements are referred to by Rule 306(1)(a) and 40 CFR 262.34(a)(1).

f) are containers in good condition? (265.171)	262C	[ ] ___ NI N/A
g) are containers compatible with waste in them (265.172)	262C	[ ] ___ NI N/A
h) are containers stored closed? (265.173(a))	262C	[ ] ___ NI N/A
i) containers handled/stored in a way which may rupture it or cause leaks? (265.173(b)	262C	___ [ ] NI N/A
j) ignitable & reactive wastes stored 15 meters (50 feet) from property line or written approval obtained from local fire prevention code authority for less than 15 meter? (265.176)	262C	[ ] ___ NI N/A
k) are containers inspected weekly for leaks and defects? (265.174)	262C	[ ] ___ NI N/A
l) did the generator document the inspections in 32(k)? (Rule 306(1)(a)(i))	262C	[ ] ___ NI N/A
m) inspection documents maintained on-site 3 years? (Rule 306(1)(a)(i))	262C	[ ] ___ NI N/A
n) are incompatible wastes stored in separate containers? (265.177(a))	262C	[ ] ___ NI N/A
o) hazardous wastes put in unwashed containers that previously held incompatible waste. (265.177(b))	262C	___ [ ] NI N/A
p) incompatible waste separated/protected from each other by physical barriers or sufficient distance? (265.177(c))	262C	[ ] ___ NI N/A

Rule 306(2) & 40 CFR 262.34(c)(1) both refer to 40 CFR 265.171, 265.172 & 265.173(a).

33. If hazardous waste is being accumulated at the point of generation:		
a) container(s) <55 gal or 1 qt acutely/severely toxic? (Rule 306(2):40 CFR 262.34(c)(1))	262C	[ ] ___ NI N/A
b) container(s) under operator control & near the point of generation? (Rule 306(2): 40 CFR 262.34(c)(1))	262C	[ ] ___ NI N/A
c) container(s) have words "Hazardous Waste"? (Rule 306(2): 40 CFR 262.34(c)(1)(ii))	262C	[ ] ___ NI N/A
d) are the container(s) marked with the hazardous waste number or chemical name? (Rule 306(2))	262C	[ ] ___ NI N/A
e) are container(s) in good condition? (265.171)	262C	[ ] ___ NI N/A
f) are container(s) compatible with waste in them? (265.172)	262C	[ ] ___ NI N/A
g) container(s) closed when not in use & managed to prevent leaks? (265.173(a))	262C	[ ] ___ NI N/A
34. If generator exceeds 55 gallons or 1 quart, w/in 3 days does generator, w/respect to that amount of excess waste:		
a) mark the container with the date the excess amount began accumulating? (Rule 306(2): 40 CFR 262.34(c)(2))	262C	[ ] ___ NI N/A
b) move to an area with secondary containment, if required? (Rule 306(1): 40 CFR 264.175))	262C	[ ] ___ NI N/A

Rule 306(1)(a) refers to containment requirements in 40 CFR 264.175.

35. If accumulating free liquids or any F020, F021, F022, F023, F026, F027, does the hazardous waste storage area include		
a) impervious base free of cracks? (264.175(b)(1)) :	262C	[X] ___ NI N/A
b) sloped or otherwise designed to elevate/protect containers from contact with liquids? (264.175(b)(2))	262C	[X] ___ NI N/A
c) hold 10% of volume of containers or volume of the largest container, whichever is greater? (264.175(b)(3))	262C	[X] ___ NI N/A
d) run-on prevented unless sufficient capacity? (264.175(b)(4))	262C	[X] ___ NI N/A
e) accumulated liquids removed in a timely manner to prevent overflow? (264.175(b)5))	262C	[X] ___ NI N/A

***NOTE:** Closure of Accumulation Area covered under # 53.*

36. If accumulating solids, (other than F020,F021,F022, F023, F026, F027), is haz waste accumulation area sloped or otherwise designed, or containers elevated or otherwise protected from contact with liquids? (264.175(c)(1 & 2))	262C	[ ] ___ NI N/A
37. Is hazardous waste accumulated in other than tanks or containers? Or, is hazardous waste generated but not accumulated, i.e.: process tank? *Explain any yes answer.*		___ ___ NI N/A

38. Waste area protected from weather, fire, physical damage & vandals? (Rule 306(1)(e))		**262C**	[X] ___ NI N/A
39. Hazardous waste accumulated so no hazardous waste or hazardous waste constituent can escape by gravity into soil, directly or indirectly, into surface, ground-waters, drains or sewers, and such that fugitive emissions do not violate Act 451, Part 55? (Rule 306(1)(f))		**262C**	[X] ___ NI N/A
40. Is hazardous waste accumulated in tanks?	*If so, complete Tank System inspection form.*		X ___ NI N/A
41. Is hazardous waste placed on drip pads?	*If so, complete Wood Preserving inspection form*		___ ___ NI N/A

Rule 306(1)(d) & 40 CFR 262.34(a)(4) refers to 265.16 **PERSONNEL TRAINING** (265.16)

42. Did personnel receive training? (265.16)	**262C**	[ ] X NI N/A
43. Do personnel training records contain the following:		
a) job title? (265.16(d)(1))	**262C**	[ ] X NI N/A
b) job descriptions? (265.16(d)(2))	**262C**	[ ] X NI N/A
c) name of employee filling each job? (265.16(d)(1))	**262C**	[ ] X NI N/A
d) description of type & amount of both introductory & continued training? 265.16(d)(3))	**262C**	[ ] X NI N/A
e) training designed so facility personnel can respond to emergencies? (265.16(a)(3)	**262C**	[ ] X NI N/A
f) records of training? (265.16(d)(4))	**262C**	[ ] X NI N/A
g) do new personnel receive required training within 6 months? (265.16(b)	**262C**	[ ] ___ NI N/A
h) do training records show personnel have taken part in annual training? (265.16(c))	**262C**	[ ] X NI N/A
i) training by person trained in hazardous waste management procedures? (265.16(a))	**262C**	[ ] X NI N/A

Rule 306(1)(d) & 40 CFR 262.34(a)(4) refer to 265, Subpart C, 265.30-265.37.
PREPAREDNESS AND PREVENTION (265.30-265.37)

44. Facility maintained/operated to minimize possibility of fire, explosion, release of hazardous waste or hazardous waste constituent which could threaten human health/environment? (265.31)	**262C**	co.said__obsrvd_ [X] ___ NI N/A
45. If required, does this facility have the following:		
a) internal communications or alarm systems? (265.32(a))	**262C**	[X] ___ NI N/A
b) telephone or 2-way radios at the scene of operations? (265.32(b))	**262C**	[X] ___ NI N/A
c) portable fire extinguishers, fire control, spill control equipment and decontamination equipment? (265.32(c))	**262C**	[X] ___ NI N/A
d) adequate volume of water and/or foam available for fire control? (265.32(d))	**262C**	[X] ___ NI N/A
46. Testing and Maintenance of Emergency Equipment		
a) owner/operator test & maintain emergency equipment to assure operation? (265.33)	**262C**	[X] ___ NI N/A
b) has owner/operator provided immediate access to internal alarms? Access to alarm system is applicable **only** if required (40 CFR 265. 32)		
i) when hazardous waste is being poured, mixed, etc. (265.34(a))	**262C**	[ ] ___ NI N/A
ii) if only one employee on the premises while facility is operating. (265.34(b))	**262C**	[ ] ___ NI N/A
c) aisle space for unobstructed movement of personnel/emergency equipment? (265.35)	**262C**	[X] ___ NI N/A
47. Has the facility made arrangements with local authorities? (265.37(a)&(b))	**262C**	[X] ___ NI N/A

Rule 306(1)(d) & 40 CFR 262.34(a)(4) refer to Subpart D, 265.50-265.56.
CONTINGENCY PLAN AND EMERGENCY PROCEDURES (265.50-265.56)

48. Plan implemented whenever fire/explosion/release could threaten human health or the environment? (265.51(b))	**262C**	[ ] ___ NI N/A
49. Does the contingency plan contain the following:		
a) actions personnel must take responding to fires/explosions/unplanned release of hazardous waste? (265.52(a & b))	**262C**	[ ] X NI N/A

b) describe arrangements w/ local police, fire, hospitals, contractors, state & local emergency responders for emergency services; (265.52(c)) & (265.37(a)&(b))?	262C	[X] ___ NI N/A
c) name, addresses & phone (office & home) of emergency coordinator? (265.52)(d))	262C	[ ] X NI N/A
d) list emergency equipment at the facility, including location, physical description & capabilities? (265.52(e))	262C	[X] ___ NI N/A
e) evacuation plan for personnel w/ signal(s), evacuation routes & alternate evacuation routes. (265.52(f))	262C	[ ] X NI N/A
50. Does the facility have an Emergency Coordinator? (265.55)	262C	[X] ___ NI N/A
Emergency Coordinator and Emergency Procedures:		
a) emergency coordinator familiar with site operation & emergency procedures? (265.55)	262C	[ ] ___ NI N/A
b) emergency coordinator has the authority to carry out the contingency plan? (265.55)	262C	[ ] ___ NI N/A
c) if emergency occurred, did the emergency coordinator follow emergency procedures? (265.56)	262C	[ ] ___ NI N/A
d) fire/explosion/other release of hazardous waste/haz. waste constituents, could threaten human health or environment or generator has knowledge spill reached surface or ground water, did generator notify MDEQ? (Rule 306(1)(d))	262C	[ ] ___ NI N/A
51. Contingency plan Amendments and Copies		
a) amended: fails in emergency; changes in regulations/emergency coordinators/emergency equipment? (265.54)	262C	[X] ___ NI N/A
b) copies of plan on site and sent to local emergency organizations? (265.53)	262C	[X] ___ NI N/A

Rule 309 refers to 262, Subpart E except 262.54 & 262.55

INTERNATIONAL SHIPMENTS (Rule 309 & 310: 40 CFR 262.50-262.60)

52. Has the facility imported or exported hazardous waste?		___ ___ NI N/A
a) exporting, has the generator:		
i) notified the Administrator in writing <12 months prior to shipment? (Rule 309(1): 40 CFR 262.53(a))	262E	[ ] ___ NI N/A
ii) receiving country consented to accept waste. (Rule 309(1): 40 CFR 262.52(b))	262E	[ ] ___ NI N/A
iii) has copy of EPA Acknowledgment of Consent. (Rule 309(1): 40 CFR 262.52(c))	262E	[ ] ___ NI N/A
iv) complied with manifest requirements in Rule 309(2)(a-h).	262E	[ ] ___ NI N/A
v) if required, was an exception report filled. (309(3)(a-c))	262E	[ ] ___ NI N/A
b) importing, has the generator met manifest requirements? (Rule 310: 40 CFR 262.60)	262F	[ ] ___ NI N/A

Rule 306(1)(g) and 40 CFR 262.34(a)(1) refers to 40 CFR 265.111 & 265.114

ACCUMULATION AREA CLOSURE (265.111 & 265.114)

53. The accumulation area must be closed in a manner that:		
a) minimizes need for further maintenance (Rule 306(1)(g): 40 CFR 265.111(a))	262C	[ ] ___ NI N/A
b) controls/minimizes/eliminates, to protect human health & environment, the escape of haz. waste or hazardous waste constituents, leachate, run-off to ground/surface waters and air. (Rule 306(1)(g): 40 CFR 265.111(b))	262C	[ ] ___ NI N/A
c) all contaminated equipment, structures, and soil properly disposed of. (Rule 306(1)(g): 40 CFR 265.114)	262C	[ ] ___ NI N/A

COMMENTS:

ATTACHMENT C

DMI Automotive Inc. Supporting Documentation Log

MIR 000 021 444

DMI Automotive Inc. Supporting Documentation

Date Provided: March 25, 2014

Description
Tank Inspection #1
Tank Inspection #2
Tank Inspection #3
Michigan DEQ Fiscal Year 2013
SME Inspection Reports 2013
Tank Inspection Nov 15, 2013
EPA Correspondence File from 2008 through 2010

DMI Automotive Inc. Supporting Documentation (Post Inspection)

Date Provided: July 8, 2014

Description
2012 Manifest
2013 Manifest
2014 Manifest
Michigan DEQ Inspection 05/03/2013
ENVO18 Contingency Plan
Permit 161-94
SME Inspection Report